



11-25-02

Op 11632/8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BRAUN
Serial No.: 09/834,700
Confirmation No.: 5035
Filed: April 12, 2001
For: *POLYMORPHIC KINASE ANCHOR
PROTEINS AND NUCLEIC ACIDS
ENCODING THE SAME*
Art Unit: 1632
Examiner: Li, Q. J.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV 175674600 US
Date of Deposit: November 20, 2002

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and addressed to:

Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, VA 22202

Michael Lough

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

RECEIVED

NOV 27 2002

TECH CENTER 1600/2900

Dear Sir:

Transmitted herewith are an Election and Preliminary Amendment responsive to the Office Action, mailed June 21, 2002 (20 pages); marked-up paragraphs and claims showing changes made in accord with 37 CFR §1.121 (5 pages); a copy of the IDS and the PTO-1449 forms hand-delivered November 5, 2001, and a stamped return postcard showing receipt (34 pages); a check (\$460) for the requisite fee for a three-month extension of time; and a return postcard. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Extension fee for response within the third month:

(X) By a small entity.....\$460.00



The Commissioner is hereby authorized to charge any fees, including the fee for the extension of time, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & MCAULIFFE LLP

By:

Stephanie Seidman
Registration No. 33,779

Attorney Docket No. 24736-2035
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#913
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12/4/02

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ELECTION AND PRELIMINARY AMENDMENT

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Dear Sir:

Responsive to the Requirement for Restriction, mailed June 21, 2002, applicant elects, with traverse, Group I, claims 1-8, 11-20, and 44-46, drawn to an isolated nucleic acid molecule of the AKAP-10 gene including a sequence of nucleotides that encodes the polypeptide set forth as SEQ ID No. 2, where the Ile residue at position 646 is replaced; vectors containing the nucleic acid of claim 1; host cells including such vector; and complementary oligonucleotides to the polynucleotide of claim 1, for examination on the merits.

Preliminary to the examination of the above-captioned application, please amend the application as follows.

IN THE SPECIFICATION:

Please amend the specification as follows (a marked-up copy of the amended specification is attached to this Amendment):

Please replace the paragraph on page 22, lines 12-13, with the following paragraph.

Microarrays are well known (see, e.g., U.S. Patent Nos. 5,837,832; 5,858,659; 6,043,136; 6,043,031 and 6,156,501).